

REMARKS

Foreign Priority:

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received.

Specification:

The Examiner has objected to the specification because the Examiner asserts that there are instances where the word "thread" appears, and the Examiner believes that the proper word should be "tread." However, Applicant has reviewed the written description of the present application and has been unable to locate an instance where the term "thread" appears. Therefore, Applicant respectfully requests the Examiner identify any instances of the term "thread" of which the Examiner is aware.

Drawings:

Applicant thanks the Examiner for indicating that the drawings filed on March 19, 2001 have been accepted.

Allowable Subject Matter:

Applicant sincerely thanks the Examiner for indicating that claims 12, 15 and 16 are allowed, and that although claims 2-6, 8 and 18 have been objected to, these claims would be allowable if written in independent form.

As shown in the previous section, Applicant has amended claim 1 by incorporating the limitations of allowable claim 8. Applicant notes that claim 1 is now original claim 8, and

Applicant has not intended to narrow the original scope of claim 8. Further, claim 17 has been amended to incorporate the limitations of allowable claim 18. Applicant notes that claim 17 is now original claim 18, and Applicant has not intended to narrow the original scope of claim 17.

Therefore, Applicant submits that independent claims 1 and 17, and dependent claims 2-7 and 9-10 are now in allowable condition.

Claim Rejections:

Claims 1-10, 12-13 and 15-20 are all of the claims pending and have been examined, and currently claims 1, 7, 9, 10, 13, 17, 19 and 20 stand rejected. Applicant notes that claims 19 and 20 have been cancelled without prejudice or disclaimer, and claims 1 and 17 have been amended to incorporate allowable subject matter.

35 U.S.C. § 103(a) Rejection - Claims 1, 7, 9, 13, 17 and 19-20:

Claims 1, 7, 9, 13, 17 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,807,226 to Williams in view of U.S. Patent No. 6,082,424 to Miyazaki. With regard to this rejection we have the following comments.

As indicated above, Applicant has amended claims 1 and 17 to include allowable subject matter, and cancelled claims 19-20. Therefore, the above rejection is now moot with regard to these claims.

With regard to claim 13, Applicant notes that the above references, either individually or in combination, fail to teach or suggest a tire tread wear forecasting apparatus that forecasts tread wear based on a temperature of a tread surface part of a tire after causing the tire to come in contact with, and to be run on, a road surface, in order to increase the temperature of the tread

surface part where the temperature of the tire tread surface before running is different from the temperature of the road surface. *See* claim 13. Specifically, there is no disclosure regarding having the temperature of the tire tread surface before running being different from the temperature of the road surface. Therefore, Applicant submits that the above combination of references fail to teach or suggest each and every feature of the claimed invention.

In view of the foregoing, Applicant submits that the Examiner has not established a *prima facie* case of obviousness with respect to claim 13. Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of claim 13.

35 U.S.C. § 103(a) Rejection - Claim 10:

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Miyazaki, in further view of U.S. Patent No. 6,540,858 to Caretta et al. In view of the amendment to claim 1, Applicant submits that the above rejection is now moot.

Conclusion:

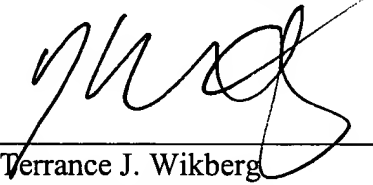
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/810,603

Our Ref.: Q62420
Art Unit: 2859

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: January 14, 2004